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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harles et al.
Serial No.: 10/021,376
Confirmation No.: 2569
Filed: December 6, 2001
For: METHOD AND APPARATUS FOR DETERMINING
CHARACTERISTICS OF COMPONENTS OF A
COMMUNICATION CHANNEL

Examiner: Pathak, Sudhanshu C.
Art Unit: 2634

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1st day of February 2005.

Doris A. Champagne
Doris A. Champagne

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

This responds to the Office Action mailed August 2, 2004 in the above-identified application. Based on the following comments, reconsideration and allowance of the application are respectfully requested.

Claims 1-6 are pending in the application. No claims have been amended.

The Examiner has rejected claims 1 and 4 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 6 and 15 of U.S. Patent No. 6,535,546 (Bethscheider et al.). Claims 2 and 5 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 6 and 15 of Bethscheider et al. in view of U.S. Patent No. 4,637,017 (Assal et al.).

Enclosed herewith is a Terminal Disclaimer to obviate a double patenting rejection over a prior patent, with respect to U.S. Patent No. 6,536,546 (Bethscheider et al.). Based on the Terminal Disclaimer, withdrawal of the double patenting rejections is respectfully requested.

The present application and U.S. Patent No. 6,535,546 were initially assigned to Société Européenne des Satellites S.A. A Change of Name to SES Astra S.A., covering the present application and U.S. Patent No. 6,535,546, was mailed to the USPTO for recording on July 20, 2004. Accordingly, the present application and U.S. Patent No. 6,535,546 are commonly owned by SES Astra S.A.

Claims 3 and 6 are objected to as being dependent upon a rejected base claim but are indicated to be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. In view of the enclosed Terminal Disclaimer, claims 1-6 should be in condition for allowance.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Harles et al., Applicant(s)

By: William R. McClellan
William R. McClellan, Reg. No. 29,409
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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